

WAWD # MJ20-5220

I hereby attest and certify on Jan 08, 2020, that the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

Clerk, U.S. District Court  
Southern District of California

By: s/ S. Andersen  
Deputy



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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

January 2019 Grand Jury

20 CR0160 H

UNITED STATES OF AMERICA,  
Plaintiff,

v.

ONGKARUCK SRIPETCH (1),  
aka King Richards,  
aka Shelby Saint-Claire,  
MICHAEL WEXLER (2),  
ASHMIT PATEL (3),  
ANDREW MCALPINE (4),  
Defendants.

Case No.

I N D I C T M E N T

Title 18, U.S.C., Sec. 371 -  
Conspiracy to Commit Securities  
Fraud, Manipulative Trading;  
Title 15, U.S.C., Secs. 78j(b),  
78ff, and Title 17, C.F.R.,  
Sec. 240.10b-5 - Securities Fraud;  
Title 15, U.S.C., Secs. 78i(a)(1),  
78ff - Manipulative Securities  
Trading; Title 18, U.S.C., Sec. 2 -  
Aiding and Abetting; Title 18,  
U.S.C., Sec. 981(a)(1)(C) and  
Title 28, U.S.C., Sec. 2461(c) -  
Criminal Forfeiture

The grand jury charges at all times relevant herein:

INTRODUCTORY ALLEGATIONS

Relevant Individuals and Entities

1. Defendant ONGKARUCK SRIPETCH, aka King Richards, aka Shelby Saint-Claire, a resident of Las Vegas, Nevada, ran a stock promotion website called Stockpalooza, and controlled several entities, including King Mutual Solutions, Inc., Optimus Prime Financial, Inc. ("Optimus Prime"), and Adtron, Inc. ("Adtron").

2. Defendant MICHAEL WEXLER, a resident of Ottawa, Ontario, Canada, was the chief executive officer of VMS Rehab Systems, Inc. ("VMS Rehab Systems"), and Argus Worldwide Corp. ("Argus Worldwide"), and

1 controlled the entities Derving Enterprises Ltd. ("Derving Enterprises").  
2 and Spectrum Global Diversified Corp. ("Spectrum Global").

3 3. Defendant ASHMIT PATEL, a resident of Oakville, Ontario,  
4 Canada, was a lawyer and was admitted to the Illinois State Bar  
5 Association in November 2012. PATEL maintained a domestic brokerage  
6 account with GP Nurmenkari, Inc.

7 4. Defendant ANDREW MCALPINE, a resident of Grand Cayman, Cayman  
8 Islands, maintained an offshore brokerage account in the name of  
9 Dunstaffnage Corporation with Seven Mile Securities in the Cayman  
10 Islands ("Offshore Brokerage Account").

11 5. VMS Rehab Systems was headquartered in Ottawa, Ontario,  
12 Canada. VMS Rehab Systems traded on the OTC Markets – a financial market  
13 that provides information for over-the-counter securities – under the  
14 ticker symbol "VRSYF." VMS Rehab Systems stock was thinly traded and  
15 the market for its stock was illiquid. According to its website, VMS  
16 Rehab was in the business of selling "quality of life orthopedic seat  
17 cushions for the home healthcare sector."

18 6. Argus Worldwide was headquartered in Cheyenne, Wyoming with  
19 affiliate offices in Poland, Canada, and the Netherlands. Argus  
20 Worldwide traded on the OTC Markets under the ticker symbol "ARGW."  
21 Argus Worldwide stock was thinly traded and the market for its stock was  
22 illiquid. According to a press release, ARGW was engaged in various  
23 "business segments including . . . digital/internet products and  
24 services, smart consumer electronic products and health industries such  
25 as generic pharmaceuticals."

26 7. Confidential Witness 1 ("CW-1"), was a resident of California,  
27 and maintained several domestic brokerage accounts in CW-1's name. CW-1  
28

1 was the president of Company 1 and maintained multiple bank accounts and  
2 brokerage accounts in Company 1's name.

3 8. Company 2 was an entity that served as an intermediary between  
4 stock promoters and stock promotion publications.

5 9. A pump-and-dump scheme was a fraudulent scheme that typically  
6 involved the artificial inflation of the stock price of a publicly-  
7 traded company (the "pump") so that individuals who control a substantial  
8 portion of the company's stock can sell shares of that stock at  
9 artificially high prices to other investors (the "dump"). Generally,  
10 such schemes effected the artificial inflation in share price by, among  
11 other things, issuing news releases and promotional materials regarding  
12 the company and its stock - often containing false, misleading, or  
13 exaggerated information - and by engaging in manipulative trading of the  
14 stock to affect its price and generate the appearance of demand for the  
15 shares.

16 10. A manipulative trading scheme was a fraudulent scheme that  
17 involved practices, including matched trades - i.e., selling (or buying)  
18 stock at pre-arranged prices and volumes - carried out for the purpose  
19 of creating the false and misleading appearance of (a) trading activity  
20 for such stock, and (b) the market for such stock.

21 Count 1 - Conspiracy

22 (18 U.S.C. § 371)

23 11. Paragraphs 1 through 10 of the Introductory Allegations above  
24 are re-alleged as if fully set forth herein.

25 12. Beginning on a date unknown to the Grand Jury but no later  
26 than September 2014, and continuing until in or around January 2017,  
27 within the Southern District of California and elsewhere, defendants  
28 ONGKARUCK SRIPETCH, aka King Richards, aka Shelby Saint-Claire, MICHAEL



1 WEXLER, and ASHMIT PATEL, and other individuals and entities known and  
2 unknown to the Grand Jury, did knowingly and intentionally conspire to  
3 commit offenses against the United States, that is,

4       a. securities fraud, namely, to knowingly and willfully,  
5 directly and indirectly, by the use of the means and instrumentalities  
6 of interstate commerce and of the mails, use and employ manipulative and  
7 deceptive devices and contrivances in connection with the purchase and  
8 sale of securities by (a) employing devices, schemes and artifices to  
9 defraud, (b) making and causing to be made untrue statements of material  
10 fact, and omitting to state material facts necessary in order to make  
11 the statements made, in light of the circumstances under which they were  
12 made, not misleading, and (c) engaging in acts, practices, and courses  
13 of business which operated and would operate as a fraud and deceit upon  
14 any persons, including members of the investing public and sellers and  
15 purchasers of the securities of VMS Rehab Systems in violation of  
16 Title 15, United States Code, Sections 78j(b), 78ff, and Title 17, Code  
17 of Federal Regulations, Section 240.10b-5; and

18       b. manipulative securities trading, namely, to knowingly and  
19 willfully, directly and indirectly, by the use of the mails and any  
20 means and instrumentality of interstate commerce, and of any facility  
21 of any national securities exchange, for the purpose of creating a false  
22 and misleading appearance of active trading in any security other than  
23 a government security, and a false and misleading appearance with respect  
24 to the market for any such security, (a) entering an order and orders  
25 for the purchase of such security with the knowledge that an order and  
26 orders of substantially the same size, at substantially the same time,  
27 and at substantially the same price, for the sale of any such security,  
28 has been and will be entered by and for the same and different parties,

1 and (b) entering any order and orders for the sale of any such security  
2 with the knowledge that an order and orders of substantially the same  
3 size, at substantially the same time, and at substantially the same  
4 price, for the purchase of such security, has been and will be entered  
5 by and for the same and different parties, in violation of Title 15,  
6 United States Code, Sections 78i(a)(1) and 78ff.

7 MANNER AND MEANS OF THE CONSPIRACY

8 13. In furtherance of their conspiracy, and to effect its objects,  
9 SRIPETCH, WEXLER, and PATEL used the following manner and means, among  
10 others:

11 a. PATEL acquired 12 million shares of VMS Rehab Systems  
12 stock, purportedly in exchange for providing legal services.

13 b. PATEL made misrepresentations to his brokerage firm in  
14 order to deposit and trade the shares of VMS Rehab Systems stock through  
15 his brokerage account.

16 c. SRIPETCH and CW-1 engaged in manipulative trading in the  
17 stock of VMS Rehab Systems for the purpose of creating a false or  
18 misleading appearance of active trading in VMS Rehab Systems stock, and  
19 a false or misleading appearance with respect to the market for VMS  
20 Rehab Systems stock.

21 d. WEXLER issued press releases about VMS Rehab Systems in  
22 order to generate interest in the company and its stock, and to provide  
23 material to be used in third-party promotions of VMS Rehab Systems stock.

24 e. SRIPTECH promoted, and caused the promotion of, VMS Rehab  
25 Systems and its stock in order to artificially avoid the deflation of,  
26 maintain, and inflate the share price of VMS Rehab Systems stock.

27 f. PATEL sold VMS Rehab Systems stock from his brokerage  
28 account into the open market at inflated prices, which the defendants

1 manipulated by promoting VMS Rehab Systems and its stock without  
2 disclosing their plan to sell such stock during the promotions and after  
3 a period of manipulative trading.

4 g. After selling VMS Rehab Systems stock, PATEL transferred  
5 a portion of the proceeds to a Company 1 bank account controlled by  
6 CW-1. CW-1, in turn, transferred a portion of the proceeds to CW-1's  
7 personal bank account and another portion of the proceeds to an Optimus  
8 Prime bank account controlled by SRIPETCH.

9 h. During the time period when PATEL sold VMS Rehab Systems  
10 stock, PATEL transferred money from an interest only lawyer trust account  
11 ("IOLTA") he controlled to a Spectrum Global bank account controlled by  
12 WEXLER as payment for WEXLER's participation in the conspiracy.

13 OVERT ACTS

14 14. In furtherance of the conspiracy and to effect and accomplish  
15 the objects thereof, the following overt acts, among others, were  
16 committed within the Southern District of California and elsewhere:

17 a. On or about September 2, 2015, PATEL and WEXLER entered  
18 into an attorney fee agreement whereby PATEL agreed to act as VMS Rehab  
19 Systems' corporate counsel for 45 days in exchange for 10 million shares  
20 of VMS Rehab Systems stock.

21 b. On or about April 29, 2016, around 12:58 p.m., CW-1  
22 entered an order to sell VMS Rehab Systems stock from a brokerage account  
23 held in CW-1's name for \$1.78 per share. Around 1:25 p.m., SRIPETCH  
24 entered an order to purchase VMS Rehab Systems stock from an account  
25 held in SRIPETCH's name for \$1.78 per share. A corresponding trade for  
26 200 shares at \$1.78 per share was executed in the market.

27 c. On or about May 18, 2016, around 2:48 p.m., SRIPETCH  
28 entered an order to sell VMS Rehab Systems stock from a brokerage account



1 held in CW-1's name for \$1.88 per share. Around 2:49 p.m., CW-1 entered  
2 an order to purchase VMS Rehab Systems stock from another brokerage  
3 account held in CW-1's name for \$1.88 per share. A corresponding trade  
4 for 500 shares at \$1.88 per share was executed in the market.

5 d. On or about May 23, 2016, around 3:14 p.m., CW-1 entered  
6 an order to purchase VMS Rehab Systems stock from a brokerage account  
7 held in CW-1's name for \$2.05 per share. Around 3:33 p.m., SRIPETCH  
8 entered an order to sell VMS Rehab Systems stock from a brokerage account  
9 held in SRIPETCH's name for \$2.05 per share. A corresponding trade for  
10 500 shares at \$2.05 per share was executed in the market.

11 e. On or about May 24, 2016, SRIPETCH wired, or caused to  
12 be wired, \$26,000 from an Optimus Prime bank account to Company 2 to  
13 facilitate a promotion of VMS Rehab Systems and its stock.

14 f. On or about July 6, 2016, WEXLER issued, or caused to be  
15 issued, a press release from VMS Rehab Systems announcing a preliminary  
16 sales forecast of \$38 million through 2022 for a generic drug that VMS  
17 Rehab Systems purportedly was developing and testing.

18 g. On or about October 27, 2016, WEXLER signed a written  
19 resolution of the VMS Rehab Systems Board of Directors authorizing Island  
20 Stock Transfer to issue 10 million shares of VMS Rehab Systems stock to  
21 PATEL via a physical share certificate.

22 h. On or about November 22, 2016, WEXLER issued, or caused  
23 to be issued, a press release from VMS Rehab Systems announcing a planned  
24 acquisition of an electronic health company.

25 i. On or about December 21, 2016, PATEL sold, or caused to  
26 be sold, 5,321,434 shares of VMS Rehab Systems through his brokerage  
27 account for proceeds of \$183,057.33.

28

1 j. On or about December 23, 2016, PATEL transferred \$56,500  
2 from his bank account to a Company 1 bank account controlled by CW-1.

3 k. On or about December 23, 2016, CW-1 transferred \$29,700  
4 from a Company 1 bank account to an Optimus Prime bank account controlled  
5 by SRIPETCH.

6 l. On or about December 23, 2016, PATEL wired, or caused to  
7 be wired, \$9,000 from an IOLTA he controlled to a Spectrum Global bank  
8 account controlled by WEXLER.

9 All in violation of Title 18, United States Code, Section 371.

10 Count 2 - Securities Fraud

11 (Title 15, U.S.C., Secs. 78j(b), 78ff, and

12 Title 17, C.F.R., Sec. 240.10b-5)

13 15. The allegations set forth in paragraphs 1 through 10 are re-  
14 alleged as if fully set forth herein.

15 16. Beginning on a date unknown to the Grand Jury but no later  
16 than September 2014, and continuing until on or about January 2017,  
17 within the Southern District of California and elsewhere, defendants  
18 ONGKARUCK SRIPETCH, aka King Richards, aka Shelby Saint Claire, MICHAEL  
19 WEXLER, and ASHMIT PATEL did knowingly and willfully, directly and  
20 indirectly, by the use of the means and instrumentalities of interstate  
21 commerce and of the mails, use and employ manipulative and deceptive  
22 devices and contrivances in connection with the purchase and sale of  
23 securities issued by VMS Rehab Systems, in violation of Title 17, Code  
24 of Federal Regulations, Section 240.10b-5, by (a) employing devices,  
25 schemes and artifices to defraud, (b) making and causing to be made  
26 untrue statements of material fact, and omitting to state material facts  
27 necessary in order to make the statements made, in light of the  
28 circumstances under which they were made, not misleading, and (c)



engaging in acts, practices, and courses of business which operated and would operate as a fraud and deceit upon any persons, including members of the investing public and sellers and purchasers of VMS Rehab Systems' securities.

17. Paragraph 11 through 13, and all subparagraphs, of Count 1 are realleged and incorporated by reference as more fully describing the manipulative and deceptive devices and contrivances used in connection with the purchase and sale of securities.

All in violation of Title 15, United States Code, Sections 78j(b) and 78ff, and Title 17, Code of Federal Regulations, Section 240.10b-5.

Counts 3-5 - Manipulative Securities Trading, Aiding & Abetting

(Title 15, U.S.C., Secs. 78i(a)(1), and 78ff;

Title 18, U.S.C., Sec. 2)

18. The allegations set forth in paragraphs 1 through 14 are realleged as if fully set forth herein.

19. On or about the dates listed below, in connection with the securities transactions described below, within the Southern District of California and elsewhere, defendant ONGKARUCK SRIPETCH, aka King Richards, aka Shelby Saint-Claire, aided and abetted manipulative securities trading by CW-1, who did knowingly and willfully, directly and indirectly, by the use of the mails and any means and instrumentality of interstate commerce, and of any facility of any national securities exchange, for the purpose of creating a false and misleading appearance of active trading in any security other than a government security, and a false and misleading appearance with respect to the market for any such security, (a) entered an order and orders as set forth below for the purchase of such security with the knowledge that an order and orders of substantially the same size, at substantially the same time, and at

substantially the same price, for the sale of any such security, had been and would be entered by and for the same and different parties, and (b) entered an order and orders as set forth below for the sale of such security with the knowledge that an order and orders of substantially the same size, at substantially the same time, and at substantially the same price, for the purchase of such security, had been and would be entered by and for the same and different parties:

Count	Date	Trade Order and Time (Eastern)
3	April 29, 2016	At or around 12:58 p.m., CW-1 entered an order to sell VMS Rehab Systems stock from a brokerage account held in CW-1's name.
4	May 18, 2016	At or around 2:48 p.m., SRIPETCH entered an order to sell VMS Rehab Systems stock from a brokerage account held in CW-1's name.
5	May 23, 2016	At or around 3:14 p.m., CW-1 entered an order to purchase VMS Rehab Systems stock from a brokerage account held in CW-1's name.

All in violation of Title 15, United States Code, Sections 78i(a)(1), and 78ff, and Title 18, United States Code, Section 2.

Count 6 - Conspiracy

(18 U.S.C. § 371)

20. Paragraphs 1 through 10 of the Introductory Allegations above are realleged as if fully set forth herein.

21. Beginning on a date unknown to the Grand Jury but no later than March 2018, and continuing until in or around March 2019, within the Southern District of California and elsewhere, defendants ONGKARUCK SRIPETCH, aka King Richards, aka Shelby Saint-Claire, MICHAEL WEXLER, and ANDREW MCALPINE, and other individuals and entities known and unknown to the Grand Jury, did knowingly and intentionally conspire to commit offenses against the United States, that is,

a. securities fraud, namely, to knowingly and willfully, directly and indirectly, by the use of the means and instrumentalities of interstate commerce and of the mails, use and employ manipulative and deceptive devices and contrivances in connection with the purchase and sale of securities by (a) employing devices, schemes and artifices to defraud, (b) making and causing to be made untrue statements of material fact, and omitting to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, and (c) engaging in acts, practices, and courses of business which operated and would operate as a fraud and deceit upon any persons, including members of the investing public and sellers and purchasers of the securities of Argus Worldwide in violation of Title 15, United States Code, Sections 78j(b), 78ff, and Title 17, Code of Federal Regulations, Section 240.10b-5; and

b. manipulative securities trading, namely, to knowingly and willfully, directly and indirectly, by the use of the mails and any means and instrumentality of interstate commerce, and of any facility of any national securities exchange, (1) for the purpose of creating a false and misleading appearance of active trading in any security other than a government security, and a false and misleading appearance with respect to the market for any such security, (a) entering an order and



1 orders for the purchase of such security with the knowledge that an  
2 order and orders of substantially the same size, at substantially the  
3 same time, and at substantially the same price, for the sale of any such  
4 security, has been and will be entered by and for the same and different  
5 parties, and (b) entering any order and orders for the sale of any such  
6 security with the knowledge that an order and orders of substantially  
7 the same size, at substantially the same time, and at substantially the  
8 same price, for the purchase of such security, has been and will be  
9 entered by and for the same and different parties, in violation of  
10 Title 15, United States Code, Sections 78i(a)(1) and 78ff.

11 MANNER AND MEANS OF THE CONSPIRACY

12 22. In furtherance of their conspiracy, and to effect its objects,  
13 SRIPETCH, WEXLER, and MCALPINE used the following manner and means,  
14 among others:

15 a. WEXLER gave 1.5 million shares of Argus Worldwide stock  
16 to CW-1, and falsely represented in a letter relied on by a brokerage  
17 firm that "no repayment is expected or implied in this gift."

18 b. CW-1 deposited 800,000 of the 1.5 million shares into one  
19 of his personal brokerage accounts. CW-1 transferred 700,000 of the  
20 1.5 million shares to MCALPINE, who deposited the shares into his  
21 Offshore Brokerage Account.

22 c. SRIPETCH and MCALPINE engaged in manipulative trading in  
23 the stock of Argus Worldwide for the purpose of creating a false or  
24 misleading appearance of active trading in Argus Worldwide stock, and a  
25 false or misleading appearance with respect to the market for Argus  
26 Worldwide stock.

27 d. WEXLER, in coordination with SRIPETCH and CW-1, issued  
28 press releases about Argus Worldwide in order to generate interest in

1 the company and its stock, and to provide material to be used in third-  
2 party promotions of Argus Worldwide stock.

3 e. SRIPTECH promoted, and caused the promotion of, Argus  
4 Worldwide and its stock in order to artificially avoid the deflation of,  
5 maintain, and inflate the share price of Argus Worldwide stock.

6 f. CW-1, MCALPINE, and SRIPETCH sold Argus Worldwide stock  
7 from their respective brokerage accounts into the open market at inflated  
8 prices, which the defendants manipulated by promoting Argus Worldwide  
9 and its stock without disclosing their plan to sell such stock during  
10 the promotions and after a period of manipulative trading.

11 g. After selling Argus Worldwide stock, CW-1 transferred the  
12 proceeds from his personal brokerage account to a Company 1 bank account  
13 controlled by CW-1. CW-1 then transferred a portion of the proceeds to  
14 accounts controlled by SRIPETCH and WEXLER, including through  
15 intermediaries.

16 h. WEXLER and CW-1 created fake loan agreements designed to  
17 disguise the true source of a portion of the stock proceeds transferred  
18 to accounts controlled by WEXLER.

19 OVERT ACTS

20 23. In furtherance of the conspiracy and to effect and accomplish  
21 the objects thereof, the following overt acts, among others, were  
22 committed within the Southern District of California and elsewhere:

23 a. On or about March 1, 2018, WEXLER signed a letter to CW-1  
24 stating that he was giving 1.5 million shares of Argus Worldwide to  
25 CW-1.

26 b. On or about April 3, 2018, CW-1 deposited 800,000 of the  
27 1.5 million shares of Argus Worldwide into his personal brokerage  
28 account.

1 c. On or about April 10, 2018, around 12:33 p.m., SRIPETCH  
2 entered an order to sell Argus Worldwide stock from a brokerage account  
3 held in the name of another individual for \$3.45 per share. Around  
4 12:33 p.m., SRIPETCH entered an order to buy Argus Worldwide stock from  
5 a brokerage account held in SRIPETCH's name for \$3.45 per share. A  
6 corresponding trade for 400 shares at \$3.45 per share was executed in  
7 the market.

8 d. On or about April 20, 2018, around 2:28 p.m., SRIPETCH  
9 entered an order to sell Argus Worldwide stock from a brokerage account  
10 held in SRIPETCH's name for \$3.68 per share. Around 2:28 p.m., SRIPETCH  
11 entered an order to buy Argus Worldwide stock from a different brokerage  
12 account held in SRIPETCH's name for \$3.68 per share. A corresponding  
13 trade for 250 shares at \$3.68 per share was executed in the market.

14 e. On or about May 3, 2018, SRIPETCH wired, or caused to be  
15 wired, \$23,000 from an Adtron bank account to Company 2 to facilitate a  
16 promotion of Argus Worldwide and its stock.

17 f. On or about May 14, 2018, WEXLER sent CW-1 an encrypted  
18 message stating: "Any thoughts on our market? I am gearing for another  
19 release or two before month end." CW-1 replied: "Yes, please release.  
20 We should get one more push in before end of month, having PR before  
21 that event will help demonstrably."

22 g. On or about May 22, 2018, WEXLER issued, or caused to be  
23 issued, a press release discussing its "global aggregator," which  
24 purportedly would "make available to the user a host of new and widely  
25 used Internet based applications on a single . . . platform shaping the  
26 company's reputation for enhancing the digital experience on line."



1 h. On or about June 7, 2018, CW-1 sent an encrypted message  
2 to WEXLER stating: "Not a big push today, just spending money to boost  
3 the stock price and create higher average volumes."

4 i. On or about June 16, 2018, WEXLER sent an encrypted  
5 message to CW-1 stating: "do I understand you correctly that the plan  
6 now is to run another promo in a couple of weeks?"

7 j. On or about July 9, 2018, CW-1 sent a spreadsheet to  
8 WEXLER through an encrypted communication that listed all of CW-1's  
9 sales of Argus Worldwide stock on July 5 and 6, 2018, and the three-way  
10 split of the profits between SRIPETCH, WEXLER, and CW-1.

11 k. On or about October 25, 2018, MCALPINE deposited 700,000  
12 shares of Argus Worldwide stock that he received from CW-1 into his  
13 offshore brokerage account.

14 l. On or about November 1, 2018, WEXLER sent an encrypted  
15 communication to CW-1 stating that he was working on what "would under  
16 normal circumstances be a genuine market moving story" that would give  
17 "powerful ammo for [SRIPETCH] to move the stock much higher when the  
18 story breaks."

19 m. On or about November 5, 2018, MCALPINE sold, or caused  
20 to be sold, 12,500 shares of Argus Worldwide stock through his Offshore  
21 Brokerage Account for proceeds of \$9,065.80.

22 n. On or about January 14, 2019, SRIPETCH sent an encrypted  
23 communication to MCALPINE and CW-1 instructing MCALPINE to place an  
24 order to sell 5,000 shares of Argus Worldwide stock at \$0.35 per share.

25 o. On or about January 14, 2019, SRIPETCH entered an order  
26 to buy Argus Worldwide stock from a brokerage account held in SRIPETCH's  
27 name for \$0.35 per share. A corresponding trade for 5,000 shares at  
28 \$0.35 per share was executed in the market.

p. On or about January 17, 2019, CW-1 sent an encrypted communication to SRIPETCH and MCALPINE containing a screenshot of a previous communication between CW-1 and WEXLER about the timing of an upcoming Argus Worldwide press release.

q. On or about January 17, 2019, SRIPETCH wired, or caused to be wired, \$45,000 from an Adtron bank account to Company 2, \$22,500 of which was to facilitate a promotion of Argus Worldwide and its stock.

r. On or about February 4, 2019, MCALPINE sold, or caused to be sold, 155,000 shares of Argus Worldwide stock through his Offshore Brokerage Account for proceeds of \$94,618.26.

s. On or about February 4, 2019, SRIPETCH sold, or caused to be sold, 193,950 shares of Argus Worldwide stock through his brokerage account for proceeds of \$119,625.96.

t. On or about March 20, 2019, SRIPETCH wired, or caused to be wired, \$33,392.25 from an Adtron bank account to a Spectrum Global bank account controlled by WEXLER.

All in violation of Title 18, United States Code, Section 371.

#### Count 7 - Securities Fraud

(Title 15, U.S.C., Secs. 78j(b), 78ff, and

Title 17, C.F.R., Sec. 240.10b-5)

24. The allegations set forth in paragraphs 1 through 10 are re-alleged as if fully set forth herein.

25. Beginning on a date unknown to the Grand Jury but no later than March 2018, and continuing until in or about March 2019, within the Southern District of California and elsewhere, defendants ONGKARUCK SRIPETCH, aka King Richards, aka Shelby Saint Claire, MICHAEL WEXLER, and ANDREW MCALPINE did knowingly and willfully, directly and indirectly, by the use of the means and instrumentalities of interstate

1 commerce and of the mails, use and employ manipulative and deceptive  
2 devices and contrivances in connection with the purchase and sale of  
3 securities issued by Argus Worldwide, in violation of Title 17, Code of  
4 Federal Regulations, Section 240.10b-5, by (a) employing devices,  
5 schemes and artifices to defraud, (b) making and causing to be made  
6 untrue statements of material fact, and omitting to state material facts  
7 necessary in order to make the statements made, in light of the  
8 circumstances under which they were made, not misleading, and (c)  
9 engaging in acts, practices, and courses of business which operated and  
10 would operate as a fraud and deceit upon any persons, including members  
11 of the investing public and sellers and purchasers of Argus Worldwide's  
12 securities.

13 26. Paragraphs 20 through 22, and all subparagraphs, of Count 6  
14 are realleged and incorporated by reference as more fully describing the  
15 manipulative and deceptive devices and contrivances used in connection  
16 with the purchase and sale of securities.

17 All in violation of Title 15, United States Code, Sections 78j(b), 78ff,  
18 and Title 17, Code of Federal Regulations, Section 240.10b-5.

19 FORFEITURE ALLEGATIONS

20 27. The allegations contained in paragraphs 1 through 10 and  
21 Counts 1 through 7 of this Indictment are realleged and incorporated by  
22 reference for the purpose of alleging forfeiture to the United States  
23 pursuant to Title 18, United States Code, Section 981(a)(1)(C) and  
24 Title 28, United States Code, Section 2461(c).

25 28. Upon conviction of one or more of the offenses set forth in  
26 Counts 1 through 7, defendants ONGKARUCK SRIPETCH, aka King Richards,  
27 aka Shelby Saint-Claire, MICHAEL WEXLER, ASHMIT PATEL, and ANDREW  
28 MCALPINE shall forfeit to the United States any property, real and



1 personal, which constitutes or is derived from proceeds traceable to the  
2 violations.

3 29. Pursuant to Title 28, United States Code, Section 2461(c)  
4 which incorporates the provisions of Title 21, United States Code,  
5 Section 853(p), the defendants shall forfeit substitute property, up to  
6 the value of the amounts described above, if, as a result of any act or  
7 omission of the defendants, the property described above, or any portion  
8 thereof, cannot be located upon the exercise of due diligence; has been  
9 transferred, sold to, or deposited with a third party; has been placed  
10 beyond the jurisdiction of this court; has been substantially diminished  
11 in value; or has been commingled with other property which cannot be  
12 divided without difficulty.


13 All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and  
14 Title 28, United States Code, Section 2461(c).

15 DATED: January 8, 2020.

16 A TRUE BILL:  
17   
18 Foreperson

19 ROBERT S. BREWER, JR.  
20 United States Attorney

21 By:

  
22 ANDREW D. GALVIN  
23 AARON P. ARNZEN  
24 Assistant U.S. Attorneys  
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26  
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